

IN RE: PETITION FOR RESIDENTIAL VARIANCE - N/S Rappaix Court, 117' NE of the c/l of Weatherbee Road (902 Rappaix Court) 9th Election District 4th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-515-A

Richard R. Grauel, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 10 feet in lieu of the minimum required 12 feet, a sum of the side yards of 18 feet in lieu of the required 20 feet, and a rear yard setback of 7 feet in lieu of the required 30 feet for a proposed addition, and a side yard setback of 3 feet in lieu of the minimum required 9 feet, and a side yard setback of 11 feet in lieu of the required 15 feet, and a rear yard setback of 3 feet in lieu of the required 22.5 feet for an open projection (screened-in porch), all as more particularly described in Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the pictures and letters of support from surrounding neighbors provide sufficient facts that comply with the

requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of June, 1990 that the Petition for Residential Variance to permit a side yard setback of 10 feet in lieu of the minimum required 12 feet, a sum of the side yards of 18 feet in lieu of the required 20 feet, and a rear yard setback of 7 feet in lieu of the required 30 feet for a proposed addition, and a side yard setback of 3 feet in lieu of the minimum required 9 feet, a side yard setback of 11 feet in lieu of the required 15 feet, and a rear yard setback of 3 feet in lieu of the required 22.5 feet for an open projection (screened-in porch), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

June 27, 1990

Mr. & Mrs. Richard R. Grauel
902 Rappaix Court
Towson, Maryland 21204

RE: PETITION FOR RESIDENTIAL VARIANCE
N/S of Rappaix Court, 117' NE of the c/l of Weatherbee Road
(902 Rappaix Court)
9th Election District - 4th Councilmanic District
Richard R. Grauel, et ux - Petitioners
Case No. 90-515-A

Dear Mr. & Mrs. Grauel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

90-515-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

1802.3.A.1 (211.3 & 211.4, R.6, 1955) and 301.1 To permit a 10 ft. side yard, an 18 ft. side yard sum, and a 7 ft. rear yard for an enclosed addition in lieu of the minimum 12 ft., 20 ft. and 30 ft., respectively, and a 3 ft. side yard, 11 ft. side yard sum, and a 3 ft. rear yard for an open projection (screened-in porch) in lieu of the 9 ft., 15 ft., and 22.5 ft. respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason (Indicate hardship or practical difficulty)

The addition I would like to build, consisting of a family room and a screened-in porch, would come closer to my back property line than the minimum setback requirement.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expense of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s): R.

Richard Grauel

(Type or Print Name)

Signature

Judith A. Grauel

(Type or Print Name)

Signature

902 Rappaix Ct.

Towson, MD 21204

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 16 day of May, 1990, that the subject matter of this petition be posted on the property on or before the 6 day of June, 1990.

J. Robert Haines
Zoning Commissioner of Baltimore County

PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 16 day of May, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County Room 108, County Office Building in Towson, Baltimore County, on the 6 day of June, 1990, at 9 o'clock, a.m.

ZONING COMMISSIONER OF BALTIMORE COUNTY

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Receipt
No 2513

Date

5/15/90

H9000403

PUBLIC HEARING FEES	QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X	\$35.00
080 -POSTING SIGNS / ADVERTISING	1 X	\$25.00
TOTAL:		\$60.00

LAST NAME OF OWNER: GRAUEL

B 8 072*****60001a 3178F
Please make checks payable to: Baltimore County

Cashier Validation:

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th
Posted for: Variance
Petitioner: Richard R. Grauel, et ux
Location of property: N/S Rappaix Ct., 117' NE of Weatherbee Rd.
902 Rappaix Ct.
Location of Signs: Along Rappaix Ct., 15' from property
Remarks: Property + Petitioner
Posted by: M. Haines
Date of return: 6/18/90
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

June 12, 1990

Mr. & Mrs. Richard R. Grauel
902 Rappaix Court
Towson, MD 21204

RE: Item No. 403, Case No. 90-515-A
Petitioner: Richard R. Grauel, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Grauel:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this 16th day of May, 1990.

J. Robert Haines
ZONING COMMISSIONER

Received By:

JAMES E. DYER
Chairman,
Zoning Plans Advisory Committee

Petitioner: Richard R. Grauel, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: May 23, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Richard R. Grauel, et ux, Item No. 403

The Petitioners request a Variance and rear yard setback requirements in order to construct a room addition and a porch addition.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Fire Department
700 East Joyce Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500
Paul H. Reincke
Chief

JUNE 4, 1990



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: RICHARD R. GRAUEL
Location: #902 RAPPAIX COURT
Item No.: 403 Zoning Agenda: JUNE 5, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

REVIEWER: *Ch. Kelly 6-4-90* Noted and Approved *Capt. W. F. Brady Jr. 6-4-90*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 29, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for June 5, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 387, 388, 394, 396, 397, 398, 399, 400, 402, 403, 404, 406 and 407.

For Item 401, the previous County Review Group comments still apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E. Chief
Developers Engineering Division

RWB:s

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

January 21, 1991

887-3553

Mr. Richard R. Grauel
902 Rappaix Court
Towson, Maryland 21204

RE: Petition for Zoning Variance
N/S Rappaix Court, 117' NE of the r/l of Weatherbee Road
(902 Rappaix Court)
9th Election District - 4th Councilmanic District
Richard R. Grauel, et ux - Petitioners
Case No. 90-515-A

Dear Mr. Grauel:

In response to your letter dated January 2, 1991 regarding the above-captioned matter, the following comments are offered.

Based upon the information presented in your letter, it appears that a greater variance than that granted you on June 27, 1990 will be necessary in order for you to build the proposed addition. Inasmuch as the Baltimore County Zoning Regulations (B.C.Z.R.) prohibits me from granting you a greater variance than that originally requested in your Petition, a new Petition must be filed. If you wish to pursue this matter, please contact a Zoning Technician in the Development Control Division of this office at 887-3391 to schedule a mutually convenient appointment for filing a new Petition.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner

AMN:bjs

cc: Case File

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

May 22, 1990



Mr. & Mrs. Richard Grauel
902 Rappaix Court
Towson, Maryland 21204

Re: CASE NUMBER: 90-515-A
ITEM NUMBER: 403
LOCATION: 902 Rappaix Court

Dear Petitioner:

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number.

Your property will be posted on or before June 6, 1990. After the closing date (June 21, 1990) for filing a request for hearing has passed, the file will be taken to the Zoning Commissioner for review. You will next receive from this office:

1) Notice that a formal request for hearing has been filed, taking the matter out of the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice.

OR

2) Notice that the matter has completed the administrative process and that you may return the sign/post and pick-up your Order.

Very truly yours,

G. G. Stephens
G. G. Stephens

902 Rappaix Court
Towson, MD 21204
January 2, 1990

Ann M. Nastarowicz
Deputy Zoning Commissioner for Baltimore County
Office of Planning and Zoning
Towson, MD 21204

Dear Ms. Nastarowicz:

In June, you granted me a residential variance, allowing me to add a family room and screened-in porch to my house. A copy of the letter, informing me of your decision, is enclosed.

Subsequently, I had a property survey done to make sure the addition conforms to the new setback requirements. The survey shows that the new setback requirements for the family room would make it impossible to build the room as planned--with its back wall flush with the back wall of my existing house. The problem arose because the new setbacks were determined from an inexact drawing that I made of my house and property to submit with my petition. Although the drawing was to scale, the position of the house relative to the boundaries of my property was not accurate. I discussed this problem with Larry Getz, who suggested that I write to you to request a slight amendment to the setback requirements for the family room.

As the enclosed survey map shows, the back wall of the family room (prop addition) has to be recessed 2.12 feet from the rear to stay within the setback specifications granted in the variance. To build the family room as intended, the rear yard setback would have to be changed from 7 feet to 6.35 feet and the side yard setback would have to be changed from 10 feet to 7.50 feet. Please let me know if that is possible under Baltimore County regulations.

Thank you for your attention in this matter.

Sincerely,

Richard Grauel

Richard Grauel

RECEIVED
JAN 4 1991

ZONING OFFICE

904 Rappaix Court
Towson, MD 21204
April 9, 1990

90-515-A

J. Robert Haines
Zoning Commissioner
Baltimore County Zoning Office
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Haines:

Our neighbors, Richard and Judi Grauel, have discussed with us their plans to add a family room and screened-in porch to the side of their house. This is to inform you that we have no objections whatsoever to their planned addition and that we will not oppose the Grauel's petition to obtain a zoning variance, which will permit them to build the addition.

Sincerely,

Joseph D. Brown
Joseph D. Brown
Mary K. Brown
Mary K. Brown

914 Weatherbee Road
Towson, MD 21204
April 10, 1990

90-515-A

J. Robert Haines
Zoning Commissioner
Baltimore County Zoning Office
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Haines:

Our neighbors, Richard and Judi Grauel, have discussed with us their plans to add a family room and screened-in porch to the side of their house. This is to inform you that we have no objections whatsoever to their planned addition and that we will not oppose the Grauel's petition to obtain a zoning variance, which will permit them to build the addition.

Sincerely,

Louis R. Bieretz (Pb)
Louis R. Bieretz
Betty Bieretz
Betty Bieretz

Jane B. Wotton
Jane B. Wotton

Joyce R. Kulishek

